

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA C. MURPHY,

Defendant.

**8:22CR283**

**ORDER**

Defendant has moved to continue the trial, (Filing No. 25), because Defendant needs to consider and decide whether to enter a guilty plea. The motion to continue is unopposed. The undersigned magistrate judge held a telephone conference with the attorneys regarding the motion. Based on the showing set forth in the motion, and the comments of counsel on the telephone conference, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's Unopposed Motion to Continue, (Filing No. 25), is granted.
- 2) The trial of this case is continued pending further order of the Court.
- 3) A telephonic status conference with counsel will be held before the undersigned magistrate judge at 11:00 a.m. on December 7, 2023. Counsel for the parties shall use the conferencing instructions provided by the Court to participate in the call.
- 4) In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between today's date and on December 7, 2023, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant this motion would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the novelty and complexity of the case. The failure to grant this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 30th day of October, 2023.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge